

**MINUTES
REGULAR BOARD MEETING
Friday, September 27, 2013
209 South Green Street
Glasgow, KY**

PRESENT: Mark Woodward, D.C., President
Frank Hideg, D.C., Vice President
Terri Byers-Abston, D.C., Secretary
Michael Seibert, D.C., Board Member
Karalee P. Oldenkamp, D.C., Executive Director
Brian Judy, Assistant Attorney General

A quorum being present and after confirmation of proper notification of the Board meeting, the meeting was called to order by the President at 9:00 a.m. prevailing time.

ITEM I: MINUTES

A motion was made by Dr. Abston, seconded by Dr. Hideg and passed 4-0 to approve the minutes of the July 12, 2013 board meeting.

ITEM II: FINANCIAL REPORTS

After review of the prepared financial reports for end of Fiscal Year 2013, July and August 2013, upon motion made by Dr. Abston, seconded by Dr. Seibert and passed 4-0, the financial reports were approved as presented.

ITEM III: BOARD OFFICE REPORT

The Board reviewed information concerning the current board website and the necessity to move the site to a new server at this time. A motion was made by Dr. Woodward, seconded by Dr. Hideg and passed 4-0 to have Kentucky.gov move the website to the new server and have Dr. Oldenkamp trained on the administration of the new site location. The Board office report was reviewed and accepted.

ITEM IV: CONSIDERATION OF REGULATION UPDATES

The Board reviewed the regulation drafts and made revisions. A motion was made by Dr. Abston, seconded by Dr. Seibert and passed 4-0 to file the following regulations and updates by October 15, 2013: 201 KAR 21:015, 21:041, 21:051, 21:065, 21:075, 21:085, 21:095, 21:100, the Definitions regulation, the Appeal of Denial of License regulation, the Appeal of Revocation of Probation regulation, the Approval of Continuing Education Programs regulation, and the regulation for Emergency Orders.

ITEM V: REVIEW FACILITY REGISTRATION FORM QUESTIONS

The Board reviewed Facility Registration Forms and photos from the following licensees: Dr. B. Dammel with no further action required by the board, all ChiroOne doctors requested and were given an extension until December 31, 2013, to come into compliance with their signage, Dr. J. Storms shall receive a letter stating he is not in compliance if he is an independent contractor and will be advised how to come into compliance, Dr. M. Wagner was in compliance, Dr. M. Ott was not in compliance and will be advised to add her name and chiropractic to her facility name, Dr. A. Howell

will be given 90 days to come into compliance with her signage since “Williamstown” needs to be taken down, Dr. Aston was given an additional 90 days to come into compliance, Dr. Abro’s signage is now in compliance with no further board action necessary, and Dr. Loudon must have his name on the awning and was given 90 days to come into compliance. A motion was made by Dr. Abston, seconded by Dr. Seibert and passed 4-0 to have board staff send these notices.

ITEM VI: ADMINISTRATIVE CASE #10-025D

The Board continues to wait for the signed agreement and a date to be set for the meeting with the licensee.

ITEM VII: ADMINISTRATIVE CASE #12-013

The Board President signed the previously issued agreed orders and this case is now closed.

ITEM VIII: ADMINISTRATIVE CASE #12-016

This case is continued pending further investigation.

ITEM IX: ADMINISTRATIVE CASE #12-020

The Board filed an Administrative Complaint and this case is continued.

ITEM X: ADMINISTRATIVE CASE #12-021

Board Counsel presented a disc of information on this case at the meeting. This information will be reviewed and the case is continued.

ITEM XI: ADMINISTRATIVE CASE #12-022

Board Counsel presented a disc of information on this case at the meeting. This information will be reviewed and the case is continued.

ITEM XII: ADMINISTRATIVE CASE #12-028

The Board reviewed the licensee’s facility registration form. A motion was made by Dr. Seibert, seconded by Dr. Hideg and passed 4-0 to have Board Counsel withdraw the formal complaint.

ITEM XIII: ADMINISTRATIVE CASE #12-029

This case is continued pending the outcome of the criminal case.

ITEM XIV: ADMINISTRATIVE CASE #12-030

This case is ongoing.

ITEM XV: ADMINISTRATIVE CASE #12-031

This case is continued pending further investigation.

ITEM XVI: ADMINISTRATIVE CASE #12-032

This case is ongoing.

ITEM XVII: ADMINISTRATIVE CASE #12-038

This case is ongoing.

ITEM XVIII: ADMINISTRATIVE CASE 12-044

This case is continued pending the receipt of additional information.

ITEM XIX: ADMINISTRATIVE CASE 13-001

The Board President signed the Administrative Complaint and this case is continued.

ITEM XX: ADMINISTRATIVE CASE 13-004

This case is continued.

ITEM XXI: ADMINISTRATIVE CASE 13-005

The Board President signed the Administrative Complaint and this case is continued.

ITEM XXII: ADMINISTRATIVE CASE 13-007

The Board reviewed this case and a motion was made by Dr. Woodward, seconded by Dr. Seibert and passed 4-0 to dismiss this case.

ITEM XXIII: ADMINISTRATIVE CASE 13-009

The Board reviewed the settlement agreement from the mediation. A motion was made by Dr. Hideg, seconded by Dr. Woodward and passed 4-0 to ask for an Attorney General's Opinion regarding the board's statutory authority to enter into a private settlement agreement. This will be reviewed at the following meeting.

ITEM XXIV: ADMINISTRATIVE CASE 13-013

The Board President signed the Administrative Complaint and this case is continued.

ITEM XXV: ADMINISTRATIVE CASE 13-014

The Board reviewed this case and a motion was made by Dr. Abston, seconded by Dr. Seibert and passed 3-0 to dismiss this case. Dr. Hideg abstained.

ITEM XXVI: ADMINISTRATIVE CASE 13-015

The Board reviewed all additional information submitted by Dr. Hillyer regarding this case. No further board action was taken at this time.

ITEM XXVII: ADMINISTRATIVE CASE 13-017

The Board reviewed all documents for this case and a motion was made by Dr. Seibert, seconded by Dr. Abston and passed 4-0 to file an administrative complaint.

ITEM XXVIII: REVIEW VIOLATED TERMS OF AGREED ORDER
RE: DAVID MEGRONIGLE, D.C. 11-009

This case is continued pending a hearing scheduled for October 31, 2013.

ITEM XXIX: ADVERTISING CASE #12A-008

An administrative complaint has been filed and this case is continued.

ITEM XXX: 12-CI-00763 MARK MILLER, D.C.

The Board reviewed the response of Mark Miller and his corrections to his website. No further board action was necessary and this case is now closed.

ITEM XXXI: INITIAL LICENSURE APPEAL REQUEST 13-KBCE-0143
RE: MARK MILLER, D.C.

The hearing took place in this case and the Recommended Order was received, however, Board Counsel will be filing Exceptions. These documents will be reviewed by the Board at the following meeting.

*Let the minutes reflect that Dr. Seibert had to leave at this time.

ITEM XXXII: ADMINISTRATIVE CASE 13-018

The Board reviewed this case and a motion was made by Dr. Woodward, seconded by Dr. Hideg and passed 3-0 to dismiss this case.

ITEM XXXIII: ADMINISTRATIVE CASE 13-019

The Board reviewed the documents in this case and a motion was made by Dr. Woodward, seconded by Dr. Hideg and passed 3-0 to offer an agreed order for settlement of this case.

ITEM XXXIV: ADMINISTRATIVE CASE 13-020

The Board reviewed this case and a motion was made by Dr. Hideg, seconded by Dr. Abston and passed 3-0 to dismiss this case.

ITEM XXXV: ADMINISTRATIVE CASE 13-021

The Board reviewed this case and a motion was made by Dr. Woodward, seconded by Dr. Hideg and passed 3-0 to dismiss this case.

ITEM XXXVI: ADMINISTRATIVE CASE 13-022

The Board reviewed this case and a motion was made by Dr. Abston, seconded by Dr. Hideg and passed 3-0 to send a letter to the licensee stating that the Board was not aware of this new law he referenced and dismiss this case.

ITEM XXXVII: ADVERTISING CASE 13A-005

The board reviewed the case and a motion was made by Dr. Abston, seconded by Dr. Hideg and passed 3-0 to offer an agreed order to Dr. Kennedy for settlement of this case which if accepted will close the case.

ITEM XXXVIII: CONSIDER ACTIVATION APPLICATION
RE: B. ANDERSON, D.C.

Upon review of documentation from Dr. Anderson, a motion was made by Dr. Abston, seconded by Dr. Hideg and passed 3-0 to activate the license.

ITEM XXXIX: CONSIDER ACTIVATION APPLICATION
RE: R. BALZA, D.C.

Upon review of documentation from Dr. Balza, a motion was made by Dr. Abston, seconded by Dr. Hideg and passed 3-0 to activate the license once all documentation is received.

ITEM XL: CONSIDER ACTIVATION APPLICATION
RE: A. BASTECKI, D.C.

Upon review of documentation from Dr. Bastecki, a motion was made by Dr. Abston, seconded by Dr. Hideg and passed 3-0 to activate the license.

ITEM XLI: CONSIDER ACTIVATION APPLICATION
RE: B. HOYOS, D.C.

Upon review of documentation from Dr. Hoyos, a motion was made by Dr. Abston, seconded by Dr. Hideg and passed 3-0 to activate the license.

ITEM XLII: CONSIDER ACTIVATION APPLICATION
RE: C. YOUNG, D.C.

Upon review of documentation from Dr. Young, a motion was made by Dr. Abston, seconded by Dr. Hideg and passed 3-0 to activate the license.

ITEM XLIII: ADVERTISEMENTS TO REVIEW

The Board reviewed information concerning the website of a licensee. It was determined to be in violation and a motion was made by Dr. Woodward, seconded by Dr. Abston and passed 3-0 to give this a case number, and offer an agreed order for settlement of this case.

ITEM XLIV: FIELD COORDINATOR REPORT

Dr. Hideg continues to conduct field office visits as he is able between investigations.

ITEM XLV: CONSIDER ACTIVATION APPLICATION
RE: G. SHY, D.C.

Upon review of documentation from Dr. Shy, a motion was made by Dr. Abston, seconded by Dr. Hideg and passed 3-0 to activate the license.

ITEM XLVI: CONSIDER CORRESPONDENCE FROM J. FOX DEMOISEY
RE: INITIAL APPLICATION REQUIREMENTS

The Board reviewed information concerning a potential applicant for licensure. A motion was made by Dr. Hideg, seconded by Dr. Abston and passed 3-0 to reply to the attorney that this applicant does not meet the requirements for licensure.

ITEM XLVII: CONSIDER CORRESPONDENCE FROM MS. KEENE
RE: INITIAL APPLICATION REQUIREMENTS

The Board reviewed information concerning a Ms. Keene's prechiropractic coursework. A motion was made by Dr. Hideg, seconded by Dr. Abston and passed 3-0 to inform Ms. Keene that she does not meet the requirements for licensure at this time.

ITEM XLVIII: CONSIDER CORRESPONDENCE FROM CREDENTIAL MED
RE: PEER REVIEW CERTIFICATION

The Board reviewed correspondence from Credential Med concerning peer review certification. A motion was made by Dr. Woodward, seconded by Dr. Abston, and passed 3-0 to have Board staff reply citing the law on requirements for peer review certification.

ITEM XLIX: SET FUTURE BOARD MEETING DATES AND JURISPRUDENCE

The Board considered dates and set a board meeting for January 24, 2014 and a Jurisprudence course for January 25, 2014, to be held at the USBank board room from 9:00-11:00 a.m. in Glasgow.

ITEM L: CONSIDER CORRESPONDENCE FROM DR. MATT HOWARD, III
 RE: HANDICAP STICKERS

The Board reviewed information from Dr. Howard regarding handicap stickers. No board action was taken at this time.

ITEM LI: TRAVEL AND PER DIEM

A motion was made by Dr. Hideg, seconded by Dr. Abston and passed 3-0 to approve the travel expenses and per diems relating to today's meeting.

ITEM LII: ADJOURNMENT

There being no further business to come before the Board, upon motion made by Dr. Abston, seconded by Dr. Hideg and passed 3-0, the meeting was adjourned.

Respectfully submitted:

Karalee P. Oldenkamp, D.C.
Executive Director

ATTESTED:

Mark Woodward, D.C.
President